

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE  
DEFIBRILLATORS PRODUCTS  
LIABILITY LITIGATION

---

MDL No. 05-1708 (DWF/AJB)

This Document Relates to:  
Gary DeRose and a Class of Persons  
Similarly Situated  
v. Civil No.: 06-28 (DWF/AJB)  
Guidant Corporation

Steve Gaydos and Diane Gaydos, as  
Husband and Wife  
v. Civil No. 06-32 (DWF/AJB)  
Guidant Corporation

Richard Harvey  
v. Civil No. 06-73 (DWF/AJB)  
Guidant Corporation and Guidant Sales  
Corporation

Leonard M. Sowers  
v. Civil No. 05-2544 (DWF/AJB)  
Guidant Corporation and Guidant Sales  
Corporation

Clinton Thacker, et al.  
v. Civil No. 06-1047 (DWF/AJB)  
Guidant Corporation and Guidant Sales  
Corporation

Michael Thorpe, et al.  
v. Civil No. 06-81 (DWF/AJB)  
Guidant Corporation and Guidant Sales  
Corporation

Larry Wenig, et al.  
v. Civil No. 05-2598 (DWF/AJB)  
Guidant Corporation and Guidant Sales  
Corporation

**ORDER**

Donald Wright  
v. Civil No. 06-269 (DWF/AJB)  
Guidant Corporation, Guidant Sales  
Corporation, Cardiac Pacemakers, Inc.,  
James M. Cornelius, Ronald W. Dollens, R.  
Frederick McCoy, Daniel J. Tich, Kathleen  
Lundberg, and Richard Roy

---

These matters came before the Court on Defendants' Motions to Dismiss for Failure To Comply With This Court's January 31, 2006 Order. The January 31, 2006 Order required Plaintiffs to submit completed fact sheets within 30 days of that Order or within 30 days of filing or docketing the case in this Court. The following Plaintiffs have failed to comply with that order:

1. Gary DeRose
2. Steve Gaydos and Diane Gaydos
3. Richard Harvey
4. Leonard M. Sowers
5. Co-Plaintiff Dallas Crouch (Thacker matter)
6. Co-Plaintiffs Michael Thorpe and Timothy Babcock (Thorpe matter)
7. Co-Plaintiffs Brian Cotter and Henry Furst (Wenig matter)
8. Donald Wright

Plaintiffs' failure to comply with this Court's January 31, 2006 Order not only prejudices Defendants' ability to mount a defense, but also adversely impacts this Court's ability to manage the MDL 1708 docket in a just, efficient, and expeditious manner.

**IT IS NOW, THEREFORE, ORDERED** that these matters as they relate to Plaintiffs listed above be **DISMISSED WITH PREJUDICE** for failure to comply with the January 31, 2006 Order.

Dated: July 3, 2006

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court